



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

July 20, 2012

Re: Pike County  
Open Burning  
Complaint 30002417

Mr. and Mrs. Kelly Smith  
51 Howe Road  
Piketon, Ohio 45661

Dear Mr. and Mrs. Smith:

I am writing this letter in response to a complaint received by this office June 29, 2012. The complaint alleges that plastics, household trash and other wastes are being burned on your property at 5805 Long Fork Road, Piketon. Mr. Max Williams lives at this address on property that is owned by you.

On July 16, 2012, I investigated this complaint and spoke to Mr. Williams. He told me that he does not have trash pickup at this time. Evidence of the open burning of wood, trash, plastics, household garbage, clothes and other solid waste materials was observed. As I explained to him at that time, plastics, garbage, furniture, etc. cannot be open burned anywhere in Ohio. As the property owner you can be held legally responsible for the illegal burning that is occurring on your property.

To open burn residential waste such as paper, leaves, tree trimmings, cardboard, etc., the property must be located in an unrestricted area (as this property is) and the burn site must be at least 1,000 feet from any other inhabited building. Because there is not a burn site location on this property that is at least 1,000 feet from any other inhabited buildings, he cannot open burn residential waste at this location.

Open burning of improper waste materials at this location is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a fine. I am enclosing a pamphlet that explains this rule. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If the open burning of improper waste materials at this location continues, legal action may be taken against you.

A copy of this letter is being forwarded to the local health department. The information within this letter can be evaluated by local health department and further investigation may be initiated if it appears violations within their jurisdiction have occurred.

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If you have any questions regarding this matter, please contact me at 740-380-5217 or 1-800-686-7330.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Duvall".

Lisa Duvall  
Environmental Specialist  
Division of Air Pollution Control

LD/cs

Enclosure

cc: The Pike County Health District, 229 Valleyview Dr. Waverly, Ohio 45690